

06-CV-00156-ORD

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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 SOCORRO ROQUE,) CASE NO. C06-0156-TSZ
09)
Petitioner,)
10)
v.) ORDER GRANTING HABEAS
11) PETITION
MICHAEL CHERTOFF, *et al.*,)
12)
Respondent.)
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14 The Court, having reviewed the Petition for Writ of Habeas Corpus, the Report and
15 Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and any
16 objections or responses to that, and the remaining record, finds and Orders as follows:

- 17 (1) The Court adopts the Report and Recommendation;
18 (2) The Petition for Writ of Habeas Corpus (Dkt. #1) is GRANTED;
19 (3) This matter is REMANDED to the Seattle Immigration Court for the purpose of
20 providing petitioner with an individualized bond hearing within 30 days of the date
21 of this Order. The Immigration Judge is to determine, based on the standard set
22 forth in INA § 236(a), whether, and under what conditions, petitioner may be

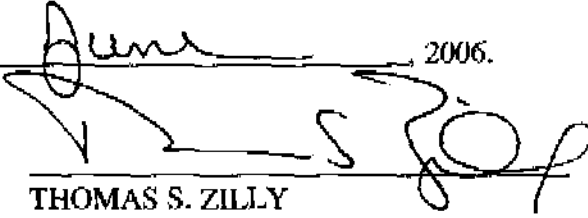
01 released from custody pending the habeas corpus proceedings in this Court.;

02 (4) Respondents' motion to dismiss (Dkt. #9) is DENIED; and

03 (5) The Clerk shall send a copy of this Order to all counsel of record, and to the

04 Honorable Mary Alice Theiler.

05 DATED this 12th day of June 2006.

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08 THOMAS S. ZILLY
09 United States District Judge
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